

Message Text

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ACTION SS-15

INFO OCT-01 ARA-06 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SAB-01 CG-00 DOTE-00 IO-10 DLOS-04

EB-07 COME-00 OFA-01 TRSE-00 SCA-01 SCS-03 FMC-01

/075 W

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FM AMEMBASSY PANAMA

TO SECSTATE WASHDC IMMEDIATE 5037

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FOR T-UNDERSECRETARY MAW

PLEASE ALSO PASS COMMERCE, MR. CARMEN BLONDIN

PLEASE ALSO PASS USCG COMMANDANT WASHDC

E.O. 11652: N/A

TAGS: EFIS, PFOR, PA

SUBJECT: TUNA FISHING PROBLEM

REF: PANAMA 5424

1. U.S. GROUP MET AGAIN WITH GOP REPRESENTATIVES FRIDAY MORNING, SEPTEMBER 6 FOR ABOUT AN HOUR. SESSION WAS LARGELY DEVOTED TO DISCUSSION OF SPECIFIC PROVISIONS OF DRAFT BILATERAL; GOP HAD NO SUBSTANTIVE PROBLEMS BUT SUGGESTED SEVERAL MINOR CHANGES, E.G. TECHNICAL ASSISTANCE IN POINT 4 WOULD BE AT REQUEST OF GOP. GOP GROUP ALSO SAID POINT 3 SHOULD BE REVISED SLIGHTLY TO MAKE IT CLEAR THAT FLIGHTS WOULD RESPECT OTHER STATES' SOVEREIGN RIGHTS AND WILL PROVIDE TEXT. (WE REVIEWED EXISTING CLEARANCE PROCEDURES USED FOR MILITARY AIRCRAFT AND NOTED THAT THEY WERE DESIGNED
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TO DEAL SATISFACTORILY WITH THIS PROBLEM.) GOP OFFICIALS

INDICATED NEXT STEP WAS ANALYSIS BY FONMIN AND OTHER LEGAL EXPERTS WITH RESPECT TO PANAMANIAN PROCEDURES FOR PUTTING IT INTO FORCE. THEY PROMISED TO MOVE AS RAPIDLY AS POSSIBLE. GANTZ EMPHASIZED THAT PARTICULAR FORM OF AGREEMENT NOT A MAJOR ISSUE; IF FOR EXAMPLE, A MEMORANDUM OF UNDERSTANDING WOULD PROVE SIMPLER FOR GOP (E.G. NOT REQUIRE SUBMISSION TO FULL TREATY PROCESS) U.S. PREPARED TO GO THAT ROUTE.

2. GOP GROUP EXPLAINED THAT THEY WERE STUDYING "ESSENTIAL ELEMENTS" DOCUMENT AND WOULD GIVE COMMENTS TO EMBASSY FOR TRANSMITTAL TO WASHINGTON EARLY NEXT WEEK. GOP PREPARED TO MOVE RAPIDLY TO TAKE NECESSARY STEPS TO CONSTRUCT AND IMPLEMENT AN ENFORCEMENT SYSTEM. HOWARD REITERATED WILLINGNESS OF COMMERCE TO SEND TECHNICAL LEVEL OFFICIAL TO WORK WITH GOP FISHERIES EXPERTS ON THEIR REGULATIONS AND PROBLEMS.

3. MINISTER OF COMMERCE AND INDUSTRIES FERNANDO MANFREDO JOINED SESSION TOWARD THE END. HE NOTED THAT GENERAL TORRIJOS HAD INSTRUCTED HIM TO ASSURE THAT ALL AFFECTED AGENCIES OF THE GOP GIVE THEIR FULL COOPERATION IN EFFECTUATING A PANAMANIAN ENFORCEMENT SYSTEM. HE NOTED THAT GOP HAD CONSIDERED SIMPLY DENYING THE PANAMANIAN FLAG TO TUNA VESSELS BUT DECIDED THAT THIS "EASY WAY OUT" WAS NOT THE PROPER WAY TO ACCOMPLISH THE OBJECTIVE OF THE CONVENTION, TUNA CONSERVATION. U.S. GROUP THANKED THE MINISTER FOR THE STRONG SUPPORT OF THE GOP AND COOPERATION OF GOP OFFICIALS, NOTING OUR AGREEMENT THAT INTERGOVERNMENTAL COOPERATION, NOT DENIAL OF THE FLAG BY ONE OR A FEW COUNTRIES, SHOULD BE THE SOLUTION.

JORDEN

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Margaret P. Grafeld
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